

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

JUSTICE FOR THE NEXT)	
GENERATION, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 1:20-cv-00998
)	
TERRY JOHNSON, et al.,)	
)	
Defendants.)	

JOINT MOTION TO STAY ALL PENDING DEADLINES

Plaintiffs and Defendants have made substantial progress in their ongoing settlement discussions. While a final agreement has not yet been reached, the parties jointly agree that a three week (21 day), temporary stay of litigation and near-term deadlines would be useful in allowing the parties to focus on reaching settlement and resolving the present litigation. Accordingly, Plaintiffs and Defendants jointly move for a temporary stay and modification of deadlines specified herein. The Parties show the following in support of this joint motion:

- On March 2, 2022, the Parties held a meditated settlement conference, with Tom Duncan appointed by this Court as mediator. The Parties did not reach a resolution during the mediation, but Mr. Duncan continued to facilitate and continue the settlement discussions between the Parties.
- Recently, the Parties made substantial progress towards achieving a resolution.
- Mr. Duncan, with the agreement of the Parties, recommended a three week

stay of pending deadlines for the Parties to focus on resolving the remaining issues and reaching a settlement agreement in principle.

The Parties are in the middle of discovery and have exchanged multiple rounds of discovery requests and responses. The Parties have substantial, upcoming discovery obligations in May 2022, including several dates in the parties' amended scheduling proposal that this Court approved. *See* DE 92. In an effort to prevent undue expense and promote judicial economy, and to allow the parties to focus their effort on settlement, the Parties request the following deadline modifications:

- This proceeding be stayed through May 2, 2022. The parties will not file motions or serve new discovery during this time period and all pending deadlines shall be stayed.
- The deadline for Newly Added Parties¹ to serve, and for Plaintiffs to supplement, their Fed. R. Civ. P. 26(a) initial disclosures shall be extended through May 30, 2022.
- The deadline for Newly Added Parties to serve their responses and objections to the previously served common interrogatories and requests for production shall be extended from May 16, 2022 to June 6, 2022.
- The deadline for Plaintiffs to supplement their prior responses and objections regarding the Newly Added Parties to the previously-served common interrogatories and request for production, answering with respect to the Newly

¹ The individuals added to this litigation pursuant to the Plaintiffs' Second Amended Complaint. (DE 71).

Added Parties, shall be extended from May 16, 2022 to June 6, 2022.

- The deadline for the Newly Added Parties to complete their document production shall be extended from May 23, 2022 to June 13, 2022.
- The deadline for the Parties to disclose their privilege logs shall be extended from May 30, 2022, to on or before June 20, 2022.
- The deadline for Defendants to respond or object to Plaintiffs' Interrogatory Numbers 11 and 12 shall be extended from April 11, 2022, through ten (10) days after the conclusion of the presently sought stay.

The parties will either file a dismissal of this action, resume this matter, or approach this Court regarding case posture on or before May 2, 2022. The parties submit this request in good faith, without intention to improperly delay this proceeding, and based on the hope and expectation that this brief stay will allow the parties to reach a compromise of their disputed claims that would result in the dismissal of this lawsuit.

Respectfully submitted, this the 11th day of April, 2022.

Counsel for Defendants:

Envisage Law

By: /s/ Anthony J. Biller
Anthony J. Biller
NC State Bar No. 24,117
Adam P. Banks
NC State Bar No. 47,559
2601 Oberlin Rd, STE 100
Raleigh, NC 27608
Telephone: (919) 715.1317
Facsimile: (919) 782.0452
Email: ajbiller@envisage.law

Hall Booth Smith, P.C.

By: /s/ Scott MacLatchie
Scott MacLatchie
North Carolina Bar No. 22824
Christian Ferlan
North Carolina Bar No. 53459
Hall Booth Smith, P.C.
11215 North Community House Road
Suite 750
Charlotte, North Carolina 28277
Telephone No. (980) 949-7822

Email: abanks@envisage.law

Attorneys for the Graham Defendants

Cranfill Sumner LLP

By: /s/ Paul G. Gessner

Paul G. Gessner

NC Bar No. 18213

P.O. Box 27808

Raleigh, NC 27607

Telephone (919) 863-8734

Facsimile (919) 863-3477

Pgessner@cshlaw.com

Attorney for Alamance Defendants

smacatchie@hallboothsmith.com

cferlan@hallboothsmith.com

Co-counsel for Individual Graham Defendants

Frazier, Hill & Fury, R.L.L.P.

By: /s/ William L. Hill

William L. Hill

NC Bar No. 21095

2307 W. Cone Boulevard, STE 260

P.O. Box 1559

Greensboro, NC 27401

Telephone (336) 378-9411

Facsimile (336) 274-7358

whill@frazierlawnc.com

Attorneys for Alamance Defendants

Counsel for Plaintiffs:

/s/ Elizabeth Haddix

Elizabeth Haddix

North Carolina Bar No. 25818

ehaddix@lawyerscommittee.org

LAWYERS COMMITTEE FOR

CIVIL RIGHTS UNDER LAW

P.O. Box 956

Carrboro, NC 27510

Tel. 919-914-6106

Jennifer Nwachukwu*

/s/Jaclyn Maffetore

Kristi L. Graunke

North Carolina Bar No. 51216

kgraunke@acluofnc.org

Jaclyn Maffetore

North Carolina Bar No. 50849

jmaffetore@acluofnc.org

Daniel K. Siegel

North Carolina Bar No. 46397

dsiegel@acluofnc.org

ACLU of North Carolina

P. O. Box 28004

Raleigh, NC 27611-8004

Tel: 919-834-3466

Michael Bornhorst*

Geoffrey Pipoly*

Maryland Bar No. 20869
jnwachukwu@lawyerscommittee.org
Lawyers' Committee for Civil Rights
Under Law
1500 K Street NW, Suite 900
Washington, D.C. 20005
Tel. 202-662-8300

Jason L. Keith
North Carolina Bar No:34038
Keith & Associates, PLLC
241 Summit Avenue,
Greensboro, NC 27401

MAYER BROWN LLP
71 S. Wacker Dr.
Chicago, IL 60606
(312) 782-0600
mbornhorst@mayerbrown.com
gpipoly@mayerbrown.com

Kfir B. Levy*
Stephen M. Medlock*
MAYER BROWN LLP
1999 K Street, N.W.
Washington, D.C. 20006-1101
(202) 263-3000
klevy@mayerbrown.com
smedlock@mayerbrown.com
** By Special Appearance*